

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 15, 2018

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Roberta Jean Peone

Case Number: 0980 2:18CR00116-RMP-1

Address of Offender: [REDACTED] Spokane Valley, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Edward J. Lodge, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Date of Original Sentence: December 15, 2015

Original Offense: Conspiracy, 18 U.S.C. § 371

Original Sentence: Prison - 95 days
TSR - 36 months

Type of Supervision: Supervised Release

Revocation

Sentence: Prison - 7months
(April 25, 2017) TSR - 21 months

Asst. U.S. Attorney: U.S. Attorney's Office

Date Supervision Commenced: September 15, 2017

Defense Attorney: Federal Defenders Office

Date Supervision Expires: June 14, 2019

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 10/31/2018.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

5

Mandatory Condition #3: You shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government is based upon the defendant's ability to pay.

Supporting Evidence: Roberta Peone violated the terms of her supervised release by consuming methamphetamine on or about October 30, 2018.

On September 15, 2017, supervision commenced in this matter. At that time, Ms. Peone was under the jurisdiction of the District of Idaho and residing at the Port of Hope in Coeur d'Alene, Idaho. The Eastern District of Washington accepted supervision of this case in December 2017, and ultimately accepted jurisdiction in July 2018.

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On December 20, 2017, a supervision intake was completed with Ms. Peone. Ms. Peone signed a copy of her judgment, indicating an acknowledgment and understanding of the conditions imposed by the Court, which included mandatory condition number 3, noted above.

On October 31, 2018, Ms. Peone reported to Pioneer Counseling Services (PCS) for the purpose of a random urinalysis test. The sample tested presumptive positive for methamphetamine. Ms. Peone admitted use and signed a drug use admission form indicating she consumed methamphetamine on October 30, 2018.

- 6 **Mandatory Condition #3:** You shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government is based upon the defendant's ability to pay.

Supporting Evidence: Roberta Peone violated the terms of her supervised release by failing to appear for a random urinalysis test on or about November 8, 2018.

On September 15, 2017, supervision commenced in this matter. At that time, Ms. Peone was under the jurisdiction of the District of Idaho and residing at the Port of Hope in Coeur d'Alene, Idaho. The Eastern District of Washington accepted supervision of this case in December 2017, and ultimately accepted jurisdiction in July 2018.

On December 20, 2017, a supervision intake was completed with Ms. Peone. Ms. Peone signed a copy of her judgment, indicating an acknowledgment and understanding of the conditions imposed by the Court, which included mandatory condition number 3, noted above.

On August 9, 2018, due to relapsing on methamphetamine, Ms. Peone was referred back to Pioneer Counseling Services (PCS) for random urinalysis testing. She was directed to call the drug testing line daily and when her color, Brown 2, was called, she was expected to appear at PCS by 7 p.m. for testing.

Ms. Peone failed to appear for testing on November 8, 2018. Ms. Peone indicated she thought she called the testing line that day, however, must have forgotten.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 15, 2018

s/Melissa Hanson

Melissa Hanson
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

11/15/2018

Date